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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,880	09/11/2003	Michael S. Misura	16-434	8976
28060	7590	09/07/2006	EXAMINER	
WATTS HOFFMANN CO. L.P.A. 1100 SUPERIOR AVE., SUITE 1750 CLEVELAND, OH 44114			CARRILLO, BIBI SHARIDAN	
			ART UNIT	PAPER NUMBER
			1746	

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/661,880

Applicant(s)

MISURA ET AL.

Examiner

Sharidan Carrillo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) 1-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-34 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/21/03

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 23-34 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 23 is indefinite because "said conveyor" lacks positive antecedent basis. Claims 24 is indefinite because it is unclear the structural relationship between the conveyor drive motor and the brush drive motor. Claims 25, 28-30, 32-34 are indefinite because of its dependency. Claims 26, 31 are indefinite because "the conveyor" lacks positive antecedent basis. Claim 26 is indefinite because it is unclear what applicant is trying to claim since the claim recites a rotational speed fixed less than a threshold and also claims that the rotational speed is varied equal to or greater than the threshold. Claim 26 is further indefinite because it is unclear what the threshold value is and therefore, how can the rotational speed be less, equal, or greater than the threshold if the value is undetermined. Claim 27 is indefinite because it is unclear the structural relationship between the user input device and the conveyor.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 18-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamilton et al. (3566429).

Hamilton et al. teach a method of cleaning planar objects by allowing the object to pass between a pair of cylindrical drive brushes that are rotated at a speed such that the object is driven in a predetermined direction at a speed equal to the tangential velocity of the brush (col. 1, lines 10-15). In col. 2, lines 55, 62 teaches cleaning glass

plates. In reference to claim 18, Hamilton teaches moving the object at a controlled linear speed (col. 8, lines 10-15), contacting the planar object 500 with a brush 72 rotatable at a controlled rotational speed along the path of travel. Col. 8, lines 1-15 and col. 6, lines 1-5 teaches that in order to move the objects at optimum speed, the speed of the motor is adjusted so that the velocity of the brush equals the optimum speed. Col. 2, lines 60-62 teaches rotating the brushes at various speeds.

Re claims 18-19, 22, 28, and 30, Hamilton teaches controlling the rotational speed (i.e. velocity) of the brush and the linear speed of the object along the path of travel. In col. 2, lines 60-62, Hamilton further teaches adjusting the rotational speeds of the brush. Hamilton clearly establishes that controlling both linear speed and rotational speed of the brush contributes to improved cleaning effectiveness, as described in col. 2, lines 10-20. Therefore, both linear speed and rotational speed are dependent upon each other since a faster rotational speed of the brush or the faster linear speed result in less contact of the substrate surface with the cleaning means, resulting in reduced cleaning effectiveness. Since both factors affect cleaning and Hamilton teaches maintaining the same linear speed and rotational speed of the brush, one would reasonably expect that changing one variable such as linear speed, the other variable (i.e. brush rotation) would have to be adjusted such that the speed of the object and the speed of the brush remains constant.

Re claims 20, 27, Hamilton teaches an electric motor 350 for adjusting the speed at which the object is moved (col. 8, lines 13-15) and the speed of the drive brushes (col. 8, lines 1-3). Re claims 21, 29, col. 2, lines 60-63 teaches rotating the brushes at

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various speeds. Re claims 23 and 31, refer to Fig. 5 which teaches a conveyor means 51 couple to the brush 72 for example. Re claims 24-25, 32-33, Hamilton teaches electric motors 350 and 430. One would reasonably expect voltage to be applied to the electric motor for it to be operational. Additionally, it is notoriously well known to use rheostats, for example, to adjust or control the voltage of the motor. Re claim 26, in view of the indefiniteness, the limitations are met by Hamilton. Re claim 34, refer to col. 8, line 12 teaches 2-14 ft/min. Hamilton fails to teach the rotational speed. However, it would have been within the level of the skilled artisan to determine the rotational speed such that the bristles contact the substrate surface and effectively remove imbedded dirt and contamination.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dickerson et al. teach a glass washing machine. Weihe et al. teach washing printing plates. Alassa teaches reversing rollers in the opposite direction. Schafer teaches washing sheet glass. Warner et al. teach washing curved glass sheets. Ogron teaches a machine for laminating glass. Skinner teaches varying the speed of the roller and the speed of the sheet feeder.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharidan Carrillo whose telephone number is 571-272-1297. The examiner can normally be reached on M-W 6:30-4:00pm, alternating Thursday.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on 571-272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sharidan Carrillo
Primary Examiner
Art Unit 1746

bsc



SHARIDAN CARRILLO
PRIMARY EXAMINER